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Christy v PA Turnpike Comm

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 94-1386 and 94-1398

CHARLES A. CHRISTY,

vs.

PENNSYLVANIA TURNPIKE COMMISSION, A DULY
ORGANIZED AND EXISTING AGENCY OF THE
COMMONWEALTH OF PENNSYLVANIA; ROBERT BRADY,
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
JAMES J. DODARO, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY; HOWARD YERUSALIM,
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
FRANK S. URSOMARSO, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY; JAMES F. MALONE, III,
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
JOHN L. SOKOL, JR., INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY; S. MICHAEL PALERMO,
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
JOSEPH L. DIRIENZO, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY; SAMUEL S. CARNABUCI,
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
MELVIN M. SHELTON, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY; DEBORAH KOVAL,
INDIVIDUALLY AND IN HER OFFICIAL CAPACITY;
JOHN A. BOSCHI, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY; VINCENT J. GRECO,
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
JOHN A. STEWART, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY; GEORGE PILECKI,
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
SEAN PILECKI, INDIVIDUALLY

Pennsylvania Turnpike Commission, Robert
Brady, Vincent Greco and John Stewart

Appellants No. 94-1386

John A. Boschi,

Appellant No. 94-1398

BEFORE: STAPLETON, ALITO and LEWIS, Circuit Judges.

ORDER

IT IS ORDERED THAT:

1. The petition for panel rehearing is granted.
2. The panel's opinion filed March 27, 1995 is vacated.
3. A revised panel opinion will be filed following circulation to the full court in accordance with I.O.P. 9.4.
4. The application for rehearing in banc is dismissed as moot, but without prejudice to the filing of a new application for rehearing in banc in accordance with I.O.P. 9.5.

BY THE COURT

/s/ Timothy K. Lewis
Circuit Judge

Dated: April 27, 1995